



MINUTES
MEMBERS OF THE INLAND WETLANDS AND WATERCOURSES COMMISSION
Monday November 8, 2010

MEMBERS PRESENT: Richard Girouard, Chairman
Arlyne Fox, Vice Chairman
John Lauria, Secretary
Lars Jorgensen
Richard Deecken
Carmin DeFeo
Kevin Chamberlain, Alternate
Frank Marcus, Alternate

ALSO PRESENT: Stephen Savarese, PE, LS Town Engineer
Mario Coppola, Esq.

The following is a brief summary of the meeting. A recording was made on tape and is on file in the office of the Town Engineer, Town Hall, Trumbull, CT.

The Chairman convened the meeting at 7:38 p.m.
Commissioner Fox led the Commission in the Pledge of Allegiance.
Commission Lauria read the public hearing notice.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Inland Wetlands and Watercourses Commission of the Town of Trumbull will hold a Public Hearing on Monday, November 8, 2010, at 7:30 p.m. in the Trumbull Town Hall Courtroom, 5866 Main Street, Trumbull, Connecticut, on the following applications:

Application 10-09 Jennifer Borges Lindade. Permit approval to construct residential house, driveway, stormwater detention, sewer and water service, associated site grading and improvements in a regulated area at Lot 3 Oriole Lane (continuation of Public Hearing from October 5, 2010).

Application 10-21 Robert C. Whitehead. Permit approval of current locations of 36'x15' canvas shed, wood pile and earthen berm in a regulated area at 5204 Madison Avenue (continuation of Public Hearing from October 5, 2010).

A copy of the applications and maps are on file for public inspection in the Town Engineer's Office, Town Hall, Trumbull, Connecticut.

Dated at Trumbull, Connecticut this 8th day of October, 2010.

Richard H. Girouard, Sr., Chairman

Inland Wetlands and Watercourses Commission of the Town of Trumbull

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Public Hearing.

The Chairman opened the public hearing at 7:43 p.m.

Application 10-24 (continued from 10-05-10) Jennifer Borges Lindade. Permit approval to construct 40'x60' residential house, driveway, stormwater detention, sewer and water service with associated site grading and improvements in a regulated area at Lot 3 Oriole Lane.

Attorney Raymond Rizio of Trumbull was present representing the applicant. He explained the grading around the home has been changed to lessen erosion on the property. Pictures and maps were introduced into record. Attorney Rizio described that a split rail fence and wetland plantings would be installed prior to the start of construction to preserve the wetlands boundary on the property.

Cynthia Rabinowitz a professional soil scientist spoke to the Commission addressing the accuracy of the wetlands and wetland boundaries depicted on the maps presented by Attorney Rizio. She completed a visual inspection of the site, conducted soil tests and confirms that there are no additional wetlands in the area known as Oriole Lane.

David Bjorkland, Professional Engineer, addressed the Commission giving a brief history of the lot. Pictures were submitted into record showing the lack of water pooling on the site. Also, as requested by the Commission, a cross-section map was introduced into record.

Attorney Rizio summarized the presentation reconfirming that there would be no filling on the site, a split-rail fence would be installed prior to construction on the home, the size of the house would be reduced and that the grading around the home would be decreased.

There was a brief discussion about the abandonment of Oriole Way by the Town, it was determined that this was an issue for the Planning and Zoning Commission.

The Chairman asked if anyone from the public wished to speak.

No one from the public came forward.

Application 10-21 (continued from 10/05/10) Robert C. Whitehead. Permit approval of current location of a 36'x15' canvas shed, wood pile and earthen berm in a regulated area at 5204 Madison Avenue. The Chairman stated the applicant asked for a continuance. Mr. Bjorkland explained that this application was in compliance with the time deadlines set forth by the State of Connecticut.

- Motion made (Lauria) seconded (Fox) to CONTINUE the public hearing on Application 10-21 (Whitehead) to the December 7, 2010 meeting. Discussion. MOTION CARRIED 6 in favor (Girouard, Lauria, Fox, DeFeo, Chamberlain, Marcus) 1 abstention (Deecken).

- Motion made (Fox) seconded (Lauria) to close the public hearing at 8:14 p.m. No Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

The Chairman opened new business at 8:15p.m.

New Business:

Application 10-31 Luis A. Galarza. Permit approval to remove seven trees that are leaning on top of the house in a regulated area at 31 Marshal Avenue. Applicant absent.

Application 10-29 Quarry Road Lot #2 LLC. Permit approval to modify IWWC Permit #10-25. Attorney Rizio was present representing the applicant. Attorney Rizio stated that they were requesting permission to rotate the original position of the building 90°. The footprint and square footage of the building will remain the same. There will be less stormwater runoff and the impervious area will be reduced by 16,000 feet. There will be no additional impact on the wetlands.

- Motion made (Deecken) seconded (Chamberlain) to receive application 10-29 (Quarry Road Lot #2 LLC). Discussion. All in favor. MOTION CARRIED UNANIMOUSLY

Application 10-30 Eugene & Karen Leone. Permit approval for new construction of basement garage in a regulated area at 1297 Huntington Turnpike. Attorney Rizio explained that the originally approved application had the garage on the first floor. Mr. Leone modified the plan and moved the garage to the basement. He stated that this was to create additional living space and enables one to drive straight into the garage from the road. There was discussion about the retaining wall, the need for an oil separator to protect the water, and the design of a drainage retention system.

- Motion made (Fox) seconded (Deecken) to RECEIVE application 10-30 (Leone). Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

Application 10-32 Avery and Laura Gray. Permit approval to pave existing gravel driveway in a regulated area at 60 Woods Avenue. The Commission discussed that when the house was originally approved there was a condition that the driveway remain unpaved. The applicants stated that the deed does not reflect this condition. The applicants are the new owners and were not aware of this. The Commission suggested that the applicant research previous paving solutions. Applicant requested that the fee be waived.

- Motion made (Chamberlain) seconded (Fox) to RECEIVE application 10-32 (Gray). Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

Application 10-31 Luis A. Galarza. Permit approval to remove seven trees that are leaning on top of the house in a regulated area at 31 Marshal Avenue. Applicant is still absent from the meeting.

Motion made (Deecken) seconded (Fox) to close new business at 9:10 p.m.

The chairman called a recess at 9:11 p.m.

The Chairman reconvened the meeting at 9:16 p.m.

Motion made (Fox) seconded (DeFeo) to enter into Executive Session to discuss a pending legal action, Emilio Ferri v. Town of Trumbull Inland Wetlands and Watercourses Commission, (Docket No. FBT-CV-10-6011592S) at 9:17 p.m. Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

Motion made (Fox) seconded (Lauria) to exit from Executive Session at 10:13 p.m. Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

Motion made (Deecken) seconded (Lauria) to APPROVE Application 10-24 (Lindade), as submitted, subject to the General Conditions as established by the Commission and the following specific conditions:

- Grading immediately around house be lowered, as agreed to by the applicant, elevation 190 to 188 to lessen the impact of flows of water to the adjacent areas.
- Split rail fence with placards installed prior to issuance of building permit.
- Monumentation of wetlands boundary denoting buffer.
- Improvement location survey submitted prior to issuance of Certificate of Occupancy.

Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

Motion made (Chamberlain) seconded (Fox) to APPROVE Application 10-29 (Quarry Road Lot 2 LLC), as submitted, subject to the General Conditions as established by the Commission. Discussion. MOTION CARRIED 6 in favor (Girouard, Lauria, Deecken, DeFeo, Marcus, Chamberlain) 1 abstention (Fox).

Motion made (Lauria) seconded (Deecken) to DENY the waiving of fees on Application 10-29 (Quarry Road Lot 2 LLC). Discussion. MOTION CARRIED 6 in favor (Girouard, Fox, Lauria, Deecken, DeFeo, Marcus) 1 against (Chamberlain).

Motion made (Chamberlain) seconded (Fox) to APPROVE Application 10-30 (Leone), as submitted, subject to the General Conditions as established by the Commission and the following specific conditions:

- Drainage detention system redesigned by Applicant's Engineer and submitted to Town Engineer for review and approval.

Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

Motion made (Fox) seconded (Lauria) to DENY Application 10-32 (Gray) without prejudice. Discussion. MOTION CARRIED 6 in favor (Girouard, Fox, Lauria, Jorgensen, DeFeo, Chamberlain) 1 abstention (Deecken).

Motion made (Lauria) seconded (Jorgensen) to APPROVE the waiving of fees for Application 10-32 (Gray). Discussion. MOTION CARRIED 6 in favor (Girouard, Fox, Lauria, Lucas, Jorgensen, DeFeo, Chamberlain) 1 abstention (Deecken).

Motion made (Lauria) seconded (Fox) to APPROVE the meeting minutes of October 5, 2010 and field inspection minutes of October 19, 2010. No discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

No field inspections were scheduled.

No correspondence.

There being no objections the Chairman moved to adjourn the meeting at 10:49 p.m.

Motion to reopen the meeting (Fox) seconded (Deecken) for discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

There being no objections the Chairman moved to adjourn the meeting at 10:54 p.m. No discussion.

Respectfully submitted by,

Ellen G. Yates,
Clerk of the Commission